

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

REGINAL WEAVER, #710482

V.

DOUG DRETKE, ET AL.

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CIVIL ACTION NO. G-05-506

ORDER OF DISMISSAL

Before the Court for its Order of Acceptance is a Report and Recommendation of the United States Magistrate Judge, entered on May 10, 2006, which recommends that Plaintiff's civil rights complaint be dismissed for failure to exhaust administrative remedies. Plaintiff has filed objections to the Report and Recommendation, reiterating arguments in support of his claims and asserting that his administrative grievances appear unexhausted only because the grievable time period had expired. For reasons correctly explained by the Magistrate Judge in the Report and Recommendation, this Court finds Plaintiff's objections to be wholly lacking in merit.

After *de novo* review pursuant to 28 U.S.C. §636 (b)(1)(C), this Court is of the opinion that the Report and Recommendation of the Magistrate Judge should be, and it is hereby, **ACCEPTED** in its entirety and incorporated by reference herein. It is the **ORDER** of this Court that this cause is **DISMISSED** with prejudice for failure to exhaust administrative remedies.

DONE at Galveston, Texas, this the 6th day of June, 2006.



Samuel B. Kent
United States District Judge